

PHA Annual Plan	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires 4/30/2011
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City of Inglewood Housing Authority

Annual Plan for Fiscal Year 2010 - 2011

Version 2

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1.0 PHA Information

PHA Name: City of Inglewood Housing Authority

PHA Code: 082

PHA Type: ☐ Small ☒ High Performing ☐ Standard ☒ HCV (Section 8)

PHA Fiscal Year Beginning: 10/01/2010

2.0 Inventory (based on ACC units at time of FY beginning in 1.0 above) **1,002**

3.0 Submission Type

☐ 5-Year and Annual Plan ☒ Annual Plan Only ☐ 5-Year Plan Only

4.0 PHA Consortia **N/A**

5.0 Annual Plan FY 2010-2011

5.1 Mission.

The Inglewood Housing Authority's mission is essentially the same as the Department of Housing and Urban Development (HUD). It is our intention to fully endorse and manage a program designed to:

- Provide a decent, safe and sanitary place to live and raise families; and
- Promote affordable housing, economic opportunities and stability; and
- Provide a living environment free from discrimination; and
- Help create and maintain a safe and drug-free community.

The Inglewood Housing Authority's (IHA) primary focus is on upgrading service delivery to our participants and owners along with continuing on our path to improve compliance with HUD policies. IHA's specific areas of focus include, but are not limited to, requesting an increase in the supply of vouchers for very low-income families that we service and wish to service; increasing the number of "leased-up" waitlist applicants; working closely with Inter-City departments such as: the Community Development Block Grant (CDBG), Redevelopment, Building & Safety, Code Enforcement and the Inglewood Police Department (IPD). IHA will continue to actively work with various law enforcement agencies as well as the HUD Office of the Inspector General (OIG) Office of Investigations in regards to fraud, program abuse and criminal activity committed by participants. As such, our goal is to continue to improve the quality of life for both, our participants and the community as a whole. Likewise, IHA will maintain its collaboration with local non-profit agencies to ensure fair housing and general social service needs.

In April 2002, the IHA developed a Housing Choice Voucher Homeownership Policy and Program. The Board of Commissioners approved the policy and program in November 2002. The program was implemented in June 2003. Our first participant purchased a condo in July 2003. As of July 2007, nine clients have purchased homes/condos. The IHA's goal has been to increase the number of Section 8 Homeowners through the Family Self-Sufficiency (FSS) Program, increased employment, job training, education/trade school, credit/financial counseling and homebuyer education courses.

5.2 Goals and Objectives.

- The IHA has significantly improved compliance with HUD policies. Our Section 8 Management Assessment Program (SEMAP) score, which measures the performance of Housing Authorities, is 135. 135 is the maximum operating score. Housing Authorities with this score are known to HUD as a “Model PHA.”
- Conducting Quality Control HQS Inspections and Criminal Background Investigations (CBIs), in accordance with our Applicant Screening Policy, are measures set in place in order to provide safe and suitable living environments for our participants.
- In keeping with the Americans with Disabilities Act (ADA) standards, our “Available Housing” list clearly designates handicap accessible units. Also, when medical apparatus is verifiably necessary, we will accommodate participants with an extra bedroom. Likewise, if verifiably necessary, a live-in care attendant may be added to the household. These measures are in place to ensure that a disabled participant may fully access and utilize the Housing Choice Voucher (HCV) Section 8 program.
- To ensure Fair Housing, the Inglewood Housing Authority (IHA) interacts with the Inglewood Tenant’s Rights Association, Housing Rights Center and Los Angeles Legal Aid. We refer participants with discrimination and other rental concerns to the above organizations. And, bilingual pamphlets, brochures and/or information are available, to the public, in our lobby.
- Since 2004, IHA has significantly increased its program abuse and fraud prevention through the use of the Upfront Income Verification/Electronic Income Verification (UIV/EIV) System, our Screening Policy, HUD OIG court prosecutions and actively investigating fraud allegations provided by anonymous callers, law enforcement and inter-industry agencies such as other Housing Authorities, the Los Angeles County Welfare & Fraud Prevention and other social service providers. Our Section 8 Applicant/Tenant Screening process improves the safety of our participants as well as the community.
- Currently the IHA has 10 active court cases with HUD OIG. IHA currently receives, from the Los Angeles County Probation Dept., monthly restitution payments for over 15 HUD OIG prosecutions. Likewise, we have 64 repayment agreements for participants who owe the IHA \$2,000 or less, and 10 long-term repayment agreements for former participants who owe over \$2,000.
- In October 2009, the IHA developed and implemented the IHA Intercept Policy which utilizes the California Tax Franchise Board’s Intercept Program in order to collect monies owed through fraudulent participant behavior. In December 2009, the IHA submitted its first “Annual List” to the State’s Tax Franchise Board. As of July 2010, the program has garnished and recouped over \$9,800 of State Income Tax Returns.

The IHA also uses the Intercept Program as another source to recoup monies owed by landlords.

- On October 22, 2009, in accordance with PIH 2009-40 (HA) dated September 29, 2009, IHA submitted HUD 5265 application form to HUD for administrative fee funding for a full-time HCV/FSS Program Coordinator salary in the amount of \$68,000 to be utilized FY 2010. In April 2010, the IHA received the funding.
- As of February 2010, the IHA has administered 34 Veterans Affairs Supportive Housing (VASH) participants, who transferred from the City of Los Angeles Housing Authority (HACLA) to our HCV program.
- The IHA waitlist was last purged on April 21, 2008. As of March 2010, we have a total of 759 active applicants on our list. One new contract as of February 1, 2010. The waitlist will be purged in April 2010.
- In January 2003, the Inglewood Housing Authority (IHA) implemented a Section 8 Homeownership Program. To date, 250 homeowner vouchers were issued and 9 participants have successfully purchased a home/condo in the City of Inglewood. Our Homeownership program increases the economic viability of our participants. They have appreciation for and pride in their property and neighborhood. They now have a vested interest in the community.

6.0 PHA Plan Update

(a) **Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission.**

- The IHA waitlist was last purged on April 21, 2008. It will be purged in April 2010. As of March 15, 2010, IHA has a total of 759 active applicants on the list, with one new contract on February 1, 2010.
- The IHA has 34 VASH Program participants.
- Effective June 1, 2009, with the exception of Reasonable Accommodation, the Occupancy Standard is two (2) persons per bedroom. (Live-in aides will be issued a separate bedroom).
- In October 2009, the IHA developed and implemented the IHA Intercept Program Policy which utilizes the California Tax Franchise Board's Intercept Program in order to collect monies owed due to fraudulent participant behavior. In December 2009, the IHA submitted its first "Annual List" to the State's Tax Franchise Board. As of July 2010, the program has garnished and recouped approximately \$9,800 of former participant's State Income Tax Returns.
- Due to budget constraints, as of February 1, 2010 until further notice, the IHA has a moratorium on Contract Rent Increases.
- Effective February 1, 2010, payment standards changed to: 0-bedroom \$814, 1-bedroom \$981, 2-bedroom \$1,225, 3-bedroom \$1,645 and 4-bedroom \$1,979. The payment standards reflect 90% of HUD FY 2009-2010 FMRs.
- Currently the IHA has 10 active court cases with HUD OIG. IHA currently receives, from the Los Angeles County Probation Dept., monthly restitution payments for over 15 HUD OIG prosecutions.

(b) **Identify the specific location(s) where the public may obtain copies of the Annual PHA Plan.**

The Plan is available for public review in the IHA office and City of Inglewood main public library.

PHA Plan Elements:

(1) **Eligibility, Selection and Admission.**

The IHA targets "very low" income limits for all new admissions. The pool of applicant families ensures that the IHA will meet income targeting requirements. There are no established preferences for admission. Applicants are selected by date and time of application. Applications were taken in July 2000. The waiting list is closed. It was last purged on April 21, 2008 and will be purged in April 2010. The IHA has 759 active applicants on the list. In accordance with the IHA Applicant Screening Policy, the Inglewood Police Department performs criminal background checks on new applicants and port-ins. As the IHA is a tenant-based rental assistance program, we do not have Public Housing therefore no unit assignment policies.

(2) **Financial Resources.**

Sources:

• FY 2010-2011 Annual contributions for Section 8:	\$7,477,588
• Administrative Fees:	<u>1,096,056</u>
Total:	\$8,573,644

(3) **Rent Determination.**

Due to budget constraints, as of December 2009, the IHA's payment standard is at 90% of HUD FY2009-2010 FMRs. At the beginning of each fiscal year, payment standards are evaluated for adequacy. The IHA takes into consideration: Success rates and rent burdens of families, rent reasonableness, increases in utility rates and budget constraints. In extenuating circumstances and as a reasonable accommodation, the IHA will make discretionary minimum rent hardship exemptions.

(4) **Operation and Management.**

The IHA conducts annual HQS inspections as well as quality control on 5% of all annual inspections.

An organizational chart showing the IHA's management structure and organization is attached. (Attachment D). Management and Maintenance policies may be found in the IHA's Administrative Plan and City of Inglewood's Consolidated Plan.

(5) **Grievance Procedures.**

Management staff reviews all appeals on all adverse actions. The Housing Authority Advisory Commission conducts proposed termination of participation hearings on a monthly basis. The Reasonable Accommodation Committee reviews request for reasonable accommodations on a weekly basis.

(6) **Designated Housing for Elderly and Disabled Families.**

The IHA has no public housing projects.

(7) **Community Service and Self-Sufficiency.**

(1) IHA provides social service referrals and ensures fair housing by interacting with the Inglewood Tenant's Rights Association, Housing Rights Center and Los Angeles Legal Aid. We refer participants with discrimination and other rental concerns to the above organizations. And, bilingual pamphlets, brochures and/or information are available, to the public, in our lobby.

(2) Our Section 8 Homeownership Program promotes economic viability and stability to assisted families.

(8) **Safety and Crime Prevention.** N/A No Public Housing.

(9) **Pets.** N/A

(10) **Civil Rights Certification.** (See attached certifications).

(11) **Fiscal Year Audit.**

Results of the most recent fiscal audit, performed by Simpson & Simpson, CPA on September 30, 2008, are available. There were no findings as a result of the audit. Auditors are currently working on September 30, 2009 audit; to be completed by March 31, 2010.

(12) **Asset Management.** N/A. No Public Housing.

(13) **Violence Against Women Act 2005. (VAWA).**

Goals, Activities and Objectives for Implementation:

The IHA complies with HUD regulations in regards to VAWA. The IHA Administrative Plan, Chapter 17, "Mitigating Circumstances", outlines our VAWA policy and procedures. The IHA also utilizes the revised HAP Contract form 52641 and Tenancy Addendum form 52641A. VAWA, Domestic Violence Hotline and Battered Women Shelter flyers are posted on information bulletin boards in the office. Information on the VAWA Act and brochures for Alternatives to Violence, Jenesse Center, Inc., and the Long Beach Battered Women are available and displayed in our lobby. The IHA solicits and encourages the participation of social service providers. IHA offers referrals to place victims into existing social service programs and/or emergency housing/shelters, hotlines, and will grant a reasonable accommodation as well as portability in or out of our jurisdiction based on VAWA. The IHA also partners with the Inglewood Police Department to identify Section 8 victims of domestic violence.

The IHA provides an exception to the prohibition against a family moving under the portability provisions in violation of the lease. And, if a port-in person's criminal history is a result of being a victim of domestic violence, the IHA's Applicant Screening Policy is waived for the Section 8 participant or wait-list applicant. This ensures that victims of domestic violence are not denied housing.

[VAWA policy, procedures and materials are located in the IHA's Administrative Plan, Chapter 17 "Reasonable Accommodation & Mitigating Circumstances."] [See VAWA attachment.]

7.0 Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers.

- (a) Hope VI or Mixed Finance Modernization or Development. – N/A
- (b) Demolition and/or Disposition. – N/A
- (c) Conversion of Public Housing. – N/A
- (d) Homeownership.

The Inglewood Housing Authority (IHA) has the capacity to successfully operate a Section 8 homeownership program. The IHA has 8 participants in the homeownership program.

- (e) Project-based Vouchers. – N/A

8.0 Capital Improvements. N/A

8.1 Capital Fund Program Annual Statement and Evaluation Report. N/A

8.2 Capital Fund Program Five-Year Action Plan. N/A

8.3 Capital Fund Financing Program (CFFP). N/A

9.0 Housing Needs.

City of Inglewood housing needs identified in the Consolidated Plan FY2007-2010 (Data based on 2000 Census, 2002 Comprehensive Housing Affordability Strategy (CHAS), 1999 Southern California Association of Governments (SCAG) Existing Need Statement, and the City of Inglewood Planning Division).

Affordability:

The Inglewood population is 120,204 consisting of 39.3% of its residents are Black, 57% are Hispanic, 2.6% are White, 1.1% are Asian, and 2.0% other. There are 39,125 households in the City. Approximately 30% of Inglewood households are in the extremely low income (0-30% of County MFI=\$56,500) 17.7% and low income (31-50% of County MFI) 12.6% category. African Americans are 10.7% very low income and 5.7% low income. Hispanics are 5.7% very low income and 5.9% low income. Whites are 0.9% very low income and 0.7% low income. 2000 Census indicates that Inglewood has 7,978 senior residents, of those 3,500 have disabilities. The 2002 Comprehensive Housing Affordability Strategy (CHAS) data by HUD indicates that 11% of Inglewood seniors are renters. Inglewood disabled population is 21,482: 17,946 are 16-64 yr. olds and 3,536 are seniors.

Cost Burden: Apartment/home rental rates for a studio are \$550-\$900, 1 bedroom \$800-\$1,100, 2 bedrooms \$900-\$1,600 and 3 bedrooms \$1,400-\$3,500. For the Extremely Low Income (30% MFI): Single person annual income \$15,550, affordable rental payment is \$388.75. Small family annual income \$20,000, affordable payment is \$500. Large family income \$24,000, affordable payment is \$600. There is no housing available in this price range.

The 2002 Comprehensive Housing Affordability Strategy (CHAS) data by HUD indicates that 61% of senior households with cost burdens are renters.

For Very Low Income (50% MFI): Single person annual income \$25,900, affordable payment is \$647.50; a studio apartment is affordable. Small family income \$33,300, affordable payment is \$832.50; there is no adequate sized units. Large family income \$39,950, affordable payment \$998.75; there is no adequate sized units.

Supply & Quality:

Incorporated in 1908, over 86% of Inglewood's housing units are over 30 years old. According to City Planning, approximately 4,000 housing units have been identified as substandard due to deterioration. As the City is built out, it does not expect to see a dramatic increase in the total number of housing units. Aged housing stock means a significant number of units in need of repairs such as new roofing, plumbing, electrical and modernization, and depressed property values often discourages reinvestment in the community. The City does not own public housing therefore Section 8 must rely on individual property owners to participate in the program. City is examining mixed use zoning to increase supply of affordable housing. In a national assessment of economic conditions of local jurisdictions, HUD determined Inglewood is considered an economically distressed area.

2000 U.S. Census states that of all of the Inglewood households earning less than 50% of County MFI, 80% of renters experienced a cost burden. Approximately ¼ of households (28% renters) experience overcrowding with renters earning less than 50% of the County MFI (30% being extremely low income, 40% being low income) experiencing high overcrowding. In 2000, Inglewood had nearly 37,000 households with an average size of 3 persons per household.

Funded under the HUD Section 202 Program, the City has 78 units of housing available specifically for the disabled.

Unit Size:

Type (supply) of housing units in the City: 14,890 Single Family Detached, 2,356 Single Family Attached, 6,743 Multi-Family 2-4 units, 16,850 Multi-Family 5 or more units, 87 Mobile homes. According to 2000 Census, 64% of Inglewood households were renters.

Accessibility:

Some barriers to low-income housing include: high rental housing cost verses the number of low-income persons unable to afford market rents; a constraint to maintaining adequate housing conditions; land costs and availability; construction costs; available financing for developers; development of new units are impacted by the City's close proximity to LAX means homes are susceptible to aircraft noise, and zoning, building and safety regulations prohibit new development.

Inglewood Housing Authority's Waiting List

	# of families	% of total families
Waiting list total	759	
*Extremely low income <=30% AMI	569	75.0%
*Very low income (>30% but <=50% AMI)	150	20.0%
*Low income (>50% but <80% AMI)	40	5%
Families with children	253	88%
Elderly families	118	15.5%
Families with Disabilities	76	10%

Race/ethnicity Black	454	60%
Race/ethnicity Hispanic	232	30.5%
Race/ethnicity White	59	8%
Race/ethnicity American Indian/Alaskan Native	11	1.1%
Race/ethnicity Hawaiian/Pacific Islander	3	.04%
Race/ethnicity Asian	0	

* Guestimate. Income was not included on the Housing Choice Voucher pre-applications taken in July 2000.

9.1 Strategy for Addressing Housing Needs.

- Maintain or increase Section 8 lease-up rates.
- Maintain or increase Section 8 lease-up rates by marketing the program to owners.
- Maintain or increase Section 8 lease-up rates by effectively screening Section 8 applicants to increase owner acceptance of the program.
- Establish payment standards that will enable families to rent throughout the City.
- Undertake measures to ensure access to affordable housing among families assisted by the IHA, regardless of unit size required.
- Participate in the City of Inglewood's Consolidated Plan (CDBG) and Housing Element (Planning Dept.) development process to ensure coordination with broader community strategies.
- Offer the Homeownership Program as a Housing Choice option.
- Researching other housing options such as owning public housing.
- Target 70% of families at or below 30% AMI.
- Apply for special-purpose vouchers targeted to the elderly and families with disabilities, should they become available.
- Obtain assistance from local non-profit agencies that assist the elderly and families with disabilities.
- Seek alternative affordable housing available to the elderly and families with disabilities.
- Increase awareness of IHA resources among families of races and ethnicities with disproportionate needs.
- Continue to work in conjunction with organizations that assist families of races or ethnicities with disproportionate needs.
- Continue to make information available to participants and families of races or ethnicities with disproportionate needs.
- Continue to utilize our Customer Service Surveys to obtain vital feedback from participants and those seeking affordable housing.
- Counsel participants as to the location of units outside of areas of poverty or minority concentration and assist them to locate those units.
- Market the Section 8 program to owners outside of areas of poverty or minority concentration.
- Continue to counsel participants on Fair Housing, refer them to the appropriate agencies and inform them of upcoming Fair Housing Rights meetings.
- Continue to collect Housing Needs Surveys to assess the needs of those seeking housing.
- Make bilingual housing staff, information and materials accessible to participants.

10.0 Additional Information.

(a) Progress in Meeting Mission and Goals.

The Inglewood Housing Authority (IHA) is meeting its mission and goals of upgrading service delivery to our clients in various ways throughout the Housing Choice Voucher Program.

- The Section 8 Homeownership Program affords eligible participants the option of homeownership and economic viability. The program is available to assist all eligible participants including senior citizens and persons with disabilities. The program partners with the, HUD approved, Los Angeles Neighborhood Homeowner Center in which IHA participants may receive financial and credit counseling, mortgage loans and enroll in a matching funds program and mandatory homebuyer education courses.
- IHA has processed approximately 192 portable vouchers FY 2009-2010 thereby serving more very low-income families.
- IHA Applicant/Tenant Screening Policy continues to be maintained by IHA staff in conjunction with the Inglewood Police Department (IPD).
- The IHA works with the HUD Office of the Inspector General's Office of Investigations to combat program abuse and fraud. The IHA has significantly stepped up its efforts to investigate, counsel and/or terminate families found to be in violation of the family obligations of the program, such as unreported and under-reported household income, allowing unauthorized persons to occupy the subsidized unit, non-compliance of lease agreements, life-time sex offender registrants and criminal, gang, and drug-related activity.
- In October 2009, the IHA developed and implemented the IHA Intercept Program Policy which utilizes the California Tax Franchise Board's Intercept Program in order to collect monies owed through fraudulent participant behavior. In December 2009, the IHA submitted its first "Annual List" to the State's Tax Franchise Board. As of July 2010, the program has garnished and recouped approximately \$9,800 of former participant's State Income Tax Returns.
- On October 22, 2009, in accordance with PIH 2009-40 (HA) dated September 29, 2009, IHA submitted HUD 5265 application form to HUD for administrative fee funding for a full-time HCV/FSS Program Coordinator salary in the amount of \$68,000 to be utilized FY 2010. This will allow IHA to hire a full-time FSS Program Coordinator to assist 50 very low-income families toward achieving their economic goals and objectives.

(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and substantial deviation/modification"

The Inglewood Housing Authority's (IHA) definition of substantial deviation and significant amendment or modification:

Modifications to the Housing Choice Voucher Program as specified by HUD notices, guidelines, statute or regulations and governed by HUD are presented to the board for approval prior to implementation and submitted to HUD, via Annual Plan and Administrative Plan, for approval.

11.0 Attached Certifications.

Chapter 17

REASONABLE ACCOMMODATION AND MITIGATING CIRCUMSTANCES

INTRODUCTION

Reasonable accommodation is intended to provide persons with disabilities equal opportunity to participate in the Housing Choice Voucher Program through the modification of policies and procedures.

For purposes of reasonable accommodation and program accessibility for persons with disabilities, the term “person with disabilities” means an individual with handicaps as defined in 24 CFR 8.3(b).

Mitigating circumstances are verifiable facts that overcome or outweigh negative information.

REASONABLE ACCOMMODATION

It is the policy of the IHA to be service directed in the administration of our housing programs, to maintain the integrity of all programs and to exercise and demonstrate a high level of professionalism while providing housing services to families. The IHA’s policies and practices are designed to provide assurances that persons with disabilities will be given reasonable accommodations, upon request, so that they may fully access and utilize the housing program and related services. The availability of requesting an accommodation will be made known by including notices on IHA forms and letters. This policy is intended to afford persons with disabilities an equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as those who do not have disabilities and is applicable to all situations described in this administrative plan including when a family initiates contact with the IHA, when the IHA initiates contact with a family including when a family applies, and when the IHA schedules or reschedules appointments of any kind.

To be eligible to request a reasonable accommodation, the requester must first certify (if apparent) or verify (if necessary), via third-party (physician or healthcare provider) verification, that they are a person with a disability under the following ADA definition:

- A physical or mental impairment that substantially limits one or more of the major life activities of an individual;
- A record of such impairment; or
- Being regarded as having such impairment.

MITIGATING CIRCUMSTANCES

Mitigating circumstances are verifiable facts that overcome or outweigh negative information. Mitigating circumstances can apply to all families, not just to families with disabilities.

Considering mitigating circumstances for a family with disabilities is a reasonable accommodation, and thus a requirement.

Effect on Denial or Termination of Assistance

The IHA has the discretion to consider mitigating factors presented by the family when deciding whether or not to deny or terminate assistance. Should the IHA decide not to deny or terminate a family's assistance due to mitigating circumstances, the IHA must document this fact in the family's file and attach any documentation to support this decision.

It is not the IHA's responsibility to inquire as to whether there were mitigating circumstances. However, if the family claims mitigating circumstances, it is up to the IHA to determine whether it believes the circumstances are valid. The family must provide documentation that establishes the validity of the claim. The IHA is the final judge of what constitutes adequate and credible documentation.

Mitigating factors can be, but are not limited to, considering the seriousness of an offense, the extent of participation by other family members, and the effect that the denial or termination may have on the household. The IHA has discretion to determine an appropriate remedy, and may permit the remaining household members to continue to receive assistance and may impose a condition that the offending household member will not reside in the unit. A signed statement to that effect will be required by the IHA.

In accordance with the Housing Opportunity Program Extension Act of 1996, a Housing Authority may require the family member(s) involved in the illegal use of a controlled substance or abuse of alcohol to submit evidence of: 1) successful completion of a supervised drug or alcohol rehabilitation program; 2) successful rehabilitation by other means; or, 3) current participation in a supervised drug or alcohol rehabilitation program, as a condition of being allowed to begin or continue participation in the Section 8 program.

Mitigating circumstances may exist such that the IHA believes that granting assistance to an applicant is warranted even though the applicant meets one of the criteria for denying assistance. For example, in the case of criminal activity, where the family member that caused the problem is no longer part of the household.

In cases where a family was evicted or had its assistance terminated by another administering agency, the IHA must do its own investigation into the cause, how long ago it occurred, and whether the family composition is the same before determining whether to deny or terminate assistance to that family. For example, it may not be appropriate to deny assistance to a family that was evicted from public housing for damage to the unit where a family member who no longer resides with the household did the damage.

The IHA may automatically reinstate applicants on the waiting list if the agency reasonably believes that extenuating circumstances interfered with the ability of the applicant to keep his or her waiting list information current.

IHA requires that families give the IHA at least a calendar month written notice before moving to a new unit.

Domestic Violence as a Mitigation Circumstance – Violence Against Women Act (VAWA) 2005.

There is no question that domestic violence can be a mitigating factor in a family's failure to comply with any program requirement. Pursuant to Public Law 109-162. Sections 606 and Section 607 amend the Section 8 and public housing sections of the U.S. Housing Act (42 U.S.C. 1437f and 1437d) VAWA to protect victims of criminal domestic or dating violence, sexual assault or stalking, as well as members of the victim's immediate families from losing their HUD assisted housing as a consequence of the abuse of which they were the victim.

The IHA will notify tenants of their rights under VAWA and, will also, notify owners of their rights and obligations under VAWA. IHA is committed to protecting participants and their immediate family members who are victims of domestic or dating violence or stalking **from being evicted or terminated from housing assistance based on acts of such violence against them.** Criminal activity directly related to domestic or dating violence or stalking, engaged in by a member of a participant's or applicant's household or any guest or other person under the participant's control, **shall not be cause for termination or denial of assistance, tenancy, or occupancy rights of the participant or an immediate member of the participant's family if he/she is the victim or threatened victim of that abuse.** An incident or incidents of actual or threatened domestic or dating violence, or stalking **will not** be construed as serious or repeated violations of the lease by the victim or threatened victim of that violence and will not be "good cause" for termination of assistance, tenancy, or occupancy.

VAWA, Domestic Violence Hotline and Battered Women Shelter flyers are posted on information bulletin boards in the office. Information on the VAWA Act and brochures for Alternatives to Violence, Jenesse Center, Inc., and the Long Beach Battered Women are available and displayed in our lobby. The IHA solicits and encourages the participation of social service providers. IHA offers referrals to place victims into existing social service programs and/or emergency housing/shelters, hotlines, and will grant a reasonable accommodation as well as portability in and out of our jurisdiction based on VAWA. The IHA also partners with the Inglewood Police Department to identify Section 8 victims of domestic violence.

Terminate/Removal of Family Member(s):

Under the authority of 24 CFR 982.552 (c) (2), **IHA may terminate assistance for certain family members (the perpetrator) while permitting other members of the family to continue receiving assistance**, provided the culpable family member will no longer reside in the unit. And, **an owner may bifurcate a lease or remove a household member from a lease**, without regard to whether a household member is a signatory to the lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and **who engages in criminal acts of physical violence against family members or others**.

Portability

Port out:

The IHA may provide an exception to the prohibition against a family moving under the portability provisions in violation of the lease. VAWA provides that the family may receive a voucher and move, in violation of the lease, under the portability procedures if the family has complied with all other obligations of the voucher program and has moved out of the assisted dwelling unit in order to protect the health or safety of an individual who is or has been the victim of domestic or dating violence or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit. The IHA may allow a family to move under portability procedures if the only basis for the denial is that the family is violating the lease agreement. The IHA may request that the family provide the HUD approved certification form or other acceptable documentation in order to verify the family's claim that the request to move is prompted by incidences of abuse in the unit.

Port In:

If a person porting in criminal history is a result of being a victim of domestic violence, the IHA's Applicant Screening Policy is waived for the Section 8 participant or wait-list applicant. This ensures that victims of domestic violence are not denied housing.

Certification of Domestic or Dating Violence or Stalking.

Sections 606 and 607 of VAWA add certification and confidentiality provisions that allow PHAs, owners or managers responding to an incident or incidents of actual or threatened domestic or dating violence or stalking that may affect participation in the housing program, to request, in writing, that an individual complete, sign and submit, within 14 business days of the request, a HUD approved certification form. IHA will make the form available to all eligible individuals. On the form, the individual certifies that he/she is a victim of domestic or dating violence or stalking, and that the incident or incidences in question are bona fide incidences of such actual or threatened abuse. The individual shall provide the name of the perpetrator on the certification form.

In lieu, or in addition to, the certification form, the individual may provide a police report or court record (affidavit, restraining or civil protection order), other credible evidence, documentation signed and attested by a second party (professional medical records) from whom the victim has sought assistance in addressing domestic or dating violence or stalking or effects of abuse. The second party will attest, under penalty of perjury, to their belief that the incident or incidents in question are bona fide incidents of abuse. The victim must, also, sign the attested documentation.

Neither a Housing Authority nor owner is required to demand that an individual produce official documentation or physical proof of the abuse in order to receive the protections of VAWA. It is at their discretion to provide assistance based solely on the individual's statement or other corroborating evidence. However, if it is the intention of the individual to submit the certification form or other documented evidence, they must do so within the 14 business days.

In the event of termination or start of an eviction proceeding, IHA may enclose the form with the appropriate notice and direct the individual to complete, sign and return the form by a specified date.

All information provided to IHA or an owner relating to incident(s) of the aforementioned, must be retained in confidence and **must neither** be entered into any shared database nor provided to a related entity, **except** to the extent that the disclosure is (i) requested or consented by the individual in writing; (ii) required for use in an eviction proceeding or termination of assistance; or (iii) otherwise required by application law. The certification form provides notice to the individual of the confidentiality of the form and the limits thereof.

Definitions:

- **Domestic Violence** – Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitated with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- **Dating Violence** – Violence committed by a person (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship shall be determined based on a consideration of the following factors (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of the interaction between the persons involved in the relationship.
- **Stalking** – to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person; (ii) a member of the immediate family of that person; or (iii) the spouse or intimate partner of that person.
- **Immediate Family Member** – a spouse, parent, brother or sister, or child of the person, or an individual to whom that person stands in place of a parent; or any other person living in the household of that person and related to that person by blood or marriage.

